

#### IV. REMARKS

Claims 31, 34 and 42 have been rejected under 35 U.S.C. 112, second paragraph. Claims 31 and 34 have been amended to overcome the rejection. It is noted that the amendments to claims 31 and 34 are not narrowing amendments ( $\pm 90^\circ$  is the same as  $180^\circ$ ; and inserting "said" corrects a misspelled word without any change).

In regards to Claim 42, it is respectfully submitted that the claim meets the definiteness criteria under 35 U.S.C. 112, second paragraph, because one skilled in the art reading claim 42 in light of the specification and drawings would clearly understand the meaning and scope of the language in the claim. Figs. 1, 4 and 5 clearly show that the closing movement of the lock door, the displacement movement of the receiving table, the lowering movement of the roller track are arranged (i.e. are accommodated) inside the lock device, so that one skilled in the art would clearly understand the scope of the language in the claim. The rejection should be withdrawn.

Claims 22-27 have been rejected under 35 U.S.C. 102 (e) as being anticipated by Bonora (6,220,808; hereinafter Bonora or Bonora'808). The Applicant respectfully disagrees. As has been noted before the priority date of the instant application is before the effective date of Bonora. However, the Applicant was unable to obtain a copy of the priority DE application before the due date to the action. In any event, Claims 22-42 are patentable over Bonora and the other cited prior art.

Claim 22 calls for the adapter device being held on the processing installation and adjustably oriented relative to the processing installation and the lock device being releasably

fastened on the adapter device. Bonora fails to anticipate these features. Bonora fails to disclose both that the adapter has an adjustable orientation to the processing installation and that the lock device is releasably fastened to the adapter.

In col. 6, lines 20-45, Bonora discloses a "tilt and go" attachment system 25 and an adapter plate 27 between the load port 24 and BOLTS interface 22 of the process tool 20. This is shown in Fig. 1A. The "tilt and go" attachment 25 is disclosed in Bonora (U.S. Patent No. 6,138,721, hereinafter Bonora '721), Figs. 2-4. As seen in the aforementioned figures, the "tilt and go" attachment 25 includes a fixed plate 16 on the BOLTS interface with a ball and socket connection assembly between plate 16 and the load port interface assembly 10. In Fig. 1A, Bonora shows the plate of the "tilt and go" attachment 25 to be fixedly mounted to the BOLTS interface 22 of the processing tool 20 (similar to what is shown for plate 16 in Fig. 2 of Bonora '721). Bonora fails to expressly disclose whether the ball and socket connection assembly (i.e. the assembly shown in Figs. 3-5 of Bonora '721) engages directly with the load port assembly 24 (as in Bonora '721) or with the adapter plate 27 (in a manner similar to that shown in Bonora '721 but with adapter plate 27 of Bonora '808 in place of the load port plate 10 in Bonora '721). It appears, from col. 6, lines 29-33, of Bonora that either configuration may be possible, but neither configuration anticipates the features called for in claim 22.

In col. 6, lines 30-34, Bonora discloses that the adapter plate 27 may be provided as part of a particular load port 24. In that case, the "tilt and go" attachment 25 (fixed to the processing tool) engages the adapter plate 27 itself, or some other bottom portion of the load port 24 of which the adapter plate is part.

This provides the adapter plate 27 with an adjustable orientation relative to the processing tool 20, but there is absolutely no indication whatsoever that in this case the load port 24 is releasably fastened to the adapter plate 27 which is part of the load port itself. If the adapter plate 27 is part of the load port, a non-releasable fastening system (i.e. bonding, brazing, spot welding or other non-releasable fastening) may be used to attach the adapter plate 27 to the rest of the load port 24. Indeed, it appears that may be the case because in Figs. 1-2, removable/releasable fasteners are shown only for connecting the adapter plate/load port to the BOLTS interface 22 of the processing tool 20. Further still, if the adapter plate 27 is part of the load port 24, and as indicated in col. 6, lines 46-48 of Bonora '808, makes use of the "tilt and go" attachment system in Bonora '721, including the locking tabs 44 shown in Bonora '721 Figs. 7-9, a releasable fastening between the adapter plate 27 and the rest of the load port of which it is part appears to be duplicative and unnecessary. (i.e. The locking tabs 44 in Bonora '721 provide for attachment of the load port assembly 10, (i.e. the adapter plate 27) to the processing tool, as well as for roll and azimuth adjustment between the load port/load port adapter plate and processing tool. This means that fastening and orientation adjustment of the load port to the processing tool is accomplished simultaneously by the lock tabs 44). Not only does Bonora '808 and Bonora '721 fail to disclose, in the case of the adapter plate 27 being part of the load port itself, a releasable fastening system for the load port to the adapter plate, but they also fail to disclose any motivation for releasably fastening the load port and adapter plate forming part of the load port.

On the other hand, if the adapter plate 27 is provided as part of the BOLTS interface of the processing tool 20, as disclosed in

col. 6, lines 34-35 of Bonora '808, then clearly the load port 24 would be releasably fastened to the adapter plate. However, in that case, as the adapter plate 27 is part of the BOLTS interface, it would appear that the adapter plate 27 is fixed and not adjustably oriented relative to the processing tool 20. Moreover, the "tilt and go" attachment system of Bonora '721 would appear to be incorporated into the load port assembly 24 precisely as disclosed in Bonora '721. In that case, the load port (not the adapter device) would have an adjustable orientation relative to the processing tool and be releasably fastened to the adapter plate. However, this is not what is being called for in claim 22. Claim 22 calls for the adapter device being held on and adjustably oriented relative to the processing installation and the lock device being releasably fastened on the adapter device. As seen from the above, Bonora fails to disclose these features. Claims 22-34 are patentable over the cited prior art and should be allowed.

Claims 28-29 and 41-42 have been rejected under 35 U.S.C. 103 as being obvious over Bonora. The Applicant respectfully disagrees.

Claim 28 recites that the lock device has a plurality of receiving bores, and the adapter device includes indexing pins plugged into respective one of the receiving bores, the indexing pin being fittingly and essentially free of play when plugged into the respective receiving bore. This is not disclosed or suggested in Bonora.

As noted before, Bonora fails to disclose any details of the attachment of the adapter device to the load port. The Examiner appears to agree with this in section 4 of the Action. Nevertheless the Examiner states that it would have been obvious as a matter of mere design choice, to modify the Bonora to

provide a system as called for in claim 28. The Applicant respectfully submits that the failure of Bonora to disclose any kind of fastening system whatsoever for fastening the load port to the adapter plate does not make anything obvious to one skilled in the art, and does not provide license to the Examiner to use a fastening system on the basis of the Applicant's own disclosure to correct a defect in the cited prior art. The failure, of the prior art, to disclose anything is not a disclosure or suggestion of any kind. Moreover, in this case the system called for in claim 28 is clearly not obvious from anything disclosed in Bonora. As noted before, Bonora discloses one case where the adapter plate 27 is part of the load port 24. Here, any connection system may be used between load port and adapter plate such as bonding, spot welding, brazing, staking or even conventional clearance bolts. In contrast, the features in claim 28 of the lock device having a plurality of receiving bores, the adapter including indexing pins plugged into corresponding bores with the indexing pins being fitted essentially free of play when plugged into the bores are not a matter of mere design choice to the aforementioned connection systems. On the contrary, providing the lock device with receiving bores and the adapter with indexing pins fitted essentially without play to the receiving bores allows the lock device to be removed and replaced freely from the processing tool ensuring that upon installation of the replacement lock device, desired alignment to the processing tool is repeatably achieved thereby avoiding a realigning operation each time a load port is replaced. This is not disclosed or suggested anywhere in Bonora. Even in the case where the adapter plate is part of or fixed to the BOLTS interface of the processing tool, it appears from Bonora that the load port includes the "tilt and go" system for adjusting the orientation of the load port to the processing.

This again precludes the features called for in claim 28, as the disclosure in Bonora provides for adjusting the orientation of the load port (and hence for each load port) which (contrary to what Bonora sets out to do) cannot be accomplished using fitted indexing pins with substantially no free play as called for in claim 28. Claim 28 calls for features that provide for a rapid and repeatable replacement of load ports which is not disclosed or suggested in Bonora. Claims 28-29 are patentable over the cited prior art and should be allowed.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,



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